

## PROPOSED ORDER/COVER SHEET

TO: Honorable Wayne D. Brazil  
U.S. Magistrate Judge

RE: Joel SANCHEZ

FROM: Claudette M. Silvera, Chief  
U.S. Pretrial Services Officer

DOCKET NO.: CR07-00409 SBA

DATE: October 5, 2007

THE ATTACHED MEMORANDUM WAS PREPARED BY PRETRIAL SERVICES OFFICER:

Victoria Gibson  
U.S. Pretrial Services Officer Specialist

510-637-3752  
TELEPHONE NUMBER

**FILED**

OCT 10 2007

RICHARD W. WIEKING  
U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND

RE: MODIFICATION OF CONDITIONS (OR INFORMATION/VIOLATION)

We are requesting direction from the Court. Please initial the appropriate box(es), and return this form to the Court, U.S. District Court, Northern District of California, Oakland, California. We may comply with your instructions.

- ☐ I have reviewed the information that you have supplied. I do not believe that this matter requires any action by this Court at this time.
- ☒ Inform all parties concerned that I will conduct a Bail Review Hearing in Courtroom No. 4 on 10/10/07 at 10:00am.
- ☐ Inform all parties concerned that a Bail Review Hearing will be conducted by: Magistrate Judge \_\_\_\_\_ Presiding District Court Judge \_\_\_\_\_
- ☐ I agree with the recommendation of the Pretrial Services Officer and hereby modify the defendant's Pretrial Release conditions as indicated below:
- ☐ Modification(s)
- A.
- B.
- ☐ Bail Revoked/Bench Warrant Issued.
- ☐ I am returning the signed order and direct that a copy be provided to the Court file and all interested parties(AUSA and Defense Counsel).
- ☐ Other Instructions:

Wayne D. Brazil  
JUDICIAL OFFICER

10-10-07  
DATE

**To:** Honorable Wayne D. Brazil  
U.S. Magistrate Judge

**From:** Victoria Gibson  
U.S. Pretrial Services Officer

**Subject:** Joel SANCHEZ  
CR07-00409 SBA

**Date:** October 5, 2007



## MEMORANDUM

Your Honor,

The above-referenced defendant is charged with violations of Title 21, United States Code, Section 841(b)(1)(A)(viii)- Knowingly and Intentionally Possess With Intent to Distribute Schedule II Controlled Substance, Namely More Than 500 Grams of a Mixture or Substance Containing a Detectable Amount of Methamphetamine. He was ordered released by Your Honor on July 24, 2007, on a \$400,000 secured bond with numerous special conditions, including half-way house placement.

On August 27, 2007, Your Honor modified the defendant's bond to include a condition that he seek and maintain verifiable employment. Since that time, the defendant has been working for Fidelity Roof Company (where he was employed prior to the arrest for the instant offense). The defendant has been compliant at Cornell Corrections, and there have not been any other supervision issues.

Over the course of the past few days, this officer has been contacted by the defendant and various members of his family. The family member who posted property at the time of the defendant's release, Juan Jose Perez, would like to be relieved of his responsibility as surety in this case. Mr. Perez visited this officer yesterday, and he stated that this request is due to his financial circumstances, and it is not due to any doubts regarding the defendant's compliance with bond conditions. Mr. Perez was very concerned about jeopardizing the defendant's ability to remain on bond during the pendency of the case.

The undersigned informed the defendant and his family that the Court would likely require a replacement surety (or sureties) in order for the defendant to remain on bond, preferably a close and employed family member. This officer discussed the meaning of signing an unsecured bond with the defendant's brother, Gustavo Sanchez, and his wife (the defendant's sister-in-law), Sylvia Sanchez. Gustavo Sanchez is a long time employee of Fidelity Roof Company, he owns property, and he is a legal resident of the United States (though not a U.S. citizen). Sylvia Sanchez indicated that they cannot encumber the equity in their home as they are using it to build another home at this time. The family believes that there would be other suitable sureties as well and understands that this person (or persons) would need to be present in Court to sign the bond.

Additionally at issue, the defendant's wife, Marie Sanchez, is due to give birth to their child at any time. The defendant would like permission to be present at the hospital for

*Antonio Mendez*

MEMORANDUM FOR THE HONORABLE WAYNE D. BRAZIL  
U.S. MAGISTRATE JUDGE  
RE: SANCHEZ, JOEL DOCKET: CR07-00409 SBA

the birth of his child. Pretrial Services does not object to this request nor do we object to the defendant being allow home visits on a regular basis, subject to his continued compliance.

Pretrial Services left a message for the defendant's attorney, Ed Duree, but we have not received a response as of the writing of this report. Pretrial Services spoke to Assistant U.S. Attorney, Kim Briggs, who is available next week for a hearing. If it is convenient for the Court, Pretrial Services requests that the hearing be set for either October 10, 2007, or October 12, 2007.

This memorandum is submitted for Your Honor's information and guidance.

Respectfully Submitted,



VICTORIA GIBSON  
U.S. Pretrial Services Officer Specialist

Reviewed by,



ALLEN LEW, Supervising  
U.S. Pretrial Services Officer

cc: Ed Duree, Defense Counsel  
Kim Briggs, Assistant U.S. Attorney